



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES
WESTCHESTER REGIONAL OFFICE

July 8, 2020

United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Attn: Honorable Philip M. Halpern
United States District Court Judge

Re: *Pedroza v. Panzarella et al.*, 18-cv-3320 (PMH)
Pre-Motion Letter for Summary Judgment by Defendants

Dear Hon. J. Halpern:

In this 42 U.S.C § 1983 action, Plaintiff alleges that he was the victim of an excessive use of force at Sing Sing Correctional Facility and other officers joined in the assault. Defendants are seeking an extension of time to file a pre-motion letter and Rule 56.1 statement of undisputed facts in support of summary judgment. Defendants apologize to the Court for the error of missing the court ordered deadline and respectfully request a reschedule set of dates.

The court previously laid out a schedule for Defendants's pre-motion letter of July 3 with plaintiff's response on July 17 and a telephone conference on July 21. Defendants began working on this letter thinking it was due July 17 but just reviewed the docket and realized the error. Defendants have spoken to Plaintiff's counsel Brian Dratch, Esq. who does not oppose the adjournment but is scheduled for trial by video in August. In addition, defendants need additional time to prepare the rule 56.1 statement in support of the pre-motion letter to include updated medical records. Defendants request a new deadline during the week of September 7th.

Respectfully submitted
LETITIA JAMES
New York State Attorney General

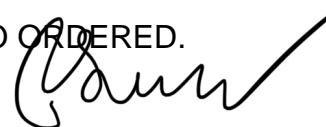
J. Powers

AAG Janice Powers

cc: via ECF only to
Brian Dratch, Esq., Attorney for Plaintiff

Application granted. Defendants' pre-motion letter is due September 7, 2020 and Plaintiff's response is due September 21, 2020.

SO ORDERED.


Philip M. Halpern, U.S.D.J.

Dated: New York, NY
July 9, 2020